

## **Scenic Rivers Background**

The Virginia Scenic Rivers Program was established in 1970 as a way to celebrate outstanding examples of Virginia's more than 49,000 miles of rivers and streams. The program continues to expand and protect Virginia's rivers because:

- Rivers and streams provide drinking water, recreational opportunities, habitat for fish and wildlife, resources for commerce, and some of our most scenic vistas.
- Informal, traditional river access sites are being lost when land use changes from agricultural to residential, and the new, smaller lot owners prohibit public use of the property.
- Scenic river designation promotes a greater awareness of the value of rivers among the citizens of Virginia.
- Ninety percent of all the physical resources cherished by residents of a region fall in water, wetlands and steep topography area (Lewis).

The program is managed by the state in partnership with citizens and local government and focuses on enhancing the conservation of scenic rivers and their corridors. Recognized for their scenic, recreational, historic and natural characteristics, rivers and streams that gain this designation are honored by community groups, localities, DCR and Virginia's General Assembly as being Virginia's finest.

Scenic river designations result from partnerships between local groups, local governments, state agencies and the Virginia General Assembly. The act assigns management responsibilities of the program to the Board of Conservation and Recreation. The board discusses river issues and makes recommendations on the stewardship of existing scenic rivers and expansion of the program with other eligible river segments.

In order to gain this designation, local residents and state representatives evaluate rivers according to program criteria to determine whether or not river segments are worthy. This is done only after each locality adjacent to the river segment requests the study. Once the river is found worthy, the locality must then have its local legislators present a bill to the General Assembly, which then passes a resolution adopting the river into the system of scenic rivers.

The Virginia Scenic Rivers Program protects scenic rivers and streams and provides an opportunity to consider scenic and other resources in planning and design. The program encourages the protection of rivers with scenic, recreational, historic and natural characteristics. If locally adopted, properties along designated scenic rivers may be eligible for a special tax assessment to reduce tax liability.

Scenic river designations result from local partnership initiatives of concerned citizens, local governments, state agencies and the Virginia General Assembly. This partnership begins in the evaluation phase and continues through and after the designation process. The grassroots effort of many citizens ensures the quality and continued success of the program.

A methodology has been established that is used to objectively evaluate potential scenic rivers and determine their eligibility for designation. The same tool is used to monitor changes on system components to ensure each section continues to meet the standards. The evaluation and

ranking procedure provides data for formulating goals, objectives and priorities for management of designated scenic river corridors.

### **Scenic River Code Sections**

The *Code of Virginia*, [§10.1-401](#) assigns the following duties and powers to the director of DCR:

- Identify rivers or river segments, including shores and natural environs, to be considered for designation.
- Conduct evaluations of rivers or segments to be considered for designation.
- Recommend rivers or segments to be considered for designation to the governor and General Assembly.
- Should a river be designated, the DCR director may acquire real property or interest in lands which offer protection to the Scenic River, but eminent domain cannot be exercised in acquiring any such property or interests.

The *Code of Virginia*, [§10.1-402](#), provides that DCR may fully review and make recommendations to federal, state and local agencies regarding the planning for use and development of water and related land resources so that scenic rivers resources are protected.

The Scenic Rivers Act prescribes the powers and duties of the administering agency, DCR, in the *Code of Virginia*, [§10.1-405](#).

The duties include:

- Administration of the scenic river system to preserve and protect its natural beauty and to assure its use and enjoyment for its scenic, recreational, geologic, fish, wildlife, historic, cultural or other assets, and to encourage the continuance of existing agricultural, horticultural, forestry, and open-space land and water uses.
- Periodically surveying each scenic river and its immediate environs and monitoring of all existing and proposed uses of each scenic river and its related land resources.
- Assisting local governments with problem solving associated with the Virginia Scenic Rivers System in consultation with the director, the board and other advisory committees.

The *Code of Virginia*, [§10.1-407](#), states that after the designation of a scenic river, no dam or other structure that impedes natural flow thereof shall be constructed, operated or maintained in such river unless specifically authorized by an act of the General Assembly.

### **After Designation**

- The localities work with VDOT to erect scenic river signage.
- Localities work with the Board of Conservation and Recreation and any local river committees to manage the river resources.
- DCR works within the environmental review process and with localities to protect the river.